IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 290 OF 2006

Smt. Dipika Dilip Piprodia ... Petitioner

Versus

The Head Master of Indian
Education Society and Ors. ... Respondents

Mr. H.V. Limaye for Petitioner.

Mr. Rajiv More for R. Nos. 1 and 2.

Mr. R.J. Mane, A.G.P. for R. No. 3.

CORAM : F.I. REBELLO &
ANOOP V. MOHTA, JJ.
DATED : MARCH 13, 2006

P.C.

. Rule. By consent heard forthwith.

. The Petitioner has approached this court on the ground that her services have been retrenched/termianted. On behalf of the Respondent society, it is pointed out that they have decided to close down Gujarati medimum primary school. The teachers in the said primary sections who were proficient in English had been adjusted in other posts. The Petitioner was also called upon to

appear for the test, both in writing and oral. However, the Petitioner was not able to meet the minimum requirements. That being the case, really speaking, it will not be possible for us to interfere in exercise of our extra ordinary jurisdiction. The Respondents, however have pre-primary schools, where there are surplus teachers as off date.

. Considering the fact that Petitioner had put in long years of service, and that she is aged over 45 years, the learned counsel on instructions, submits that in the event in future after adjusting the surplus teachers who are in the pre primary section, on vacancy becoming available, the respondent will consider the case of Petitioner and give her appointment in the pre primary section. Statement made on behalf of the Respondent accepted. Petition disposed of accordingly. Rule discharged. No order as to costs.

(F.I. REBELLO,J.)

(ANOOP V. MOHTA,J.)